

**Testimony of  
Dale Kelley, Executive Director  
Alaska Trollers Association  
to the  
US House Subcommittee on Fisheries and Oceans  
July 6, 2005**

Good morning and welcome to Ketchikan – Alaska's rain capitol. At over 160 inches of precip a year, I'm willing to bet we are a contender for top slot in the nation. Here in Alaska, we strive to be the best.

My name is Dale Kelley. I am the executive director of the Alaska Trollers Association (ATA). Our office is located in Juneau. I appreciate your taking time to travel to Alaska to learn about our state and fisheries. There are many fine panelists here today who will enlighten you about Alaska's management philosophies and practices in a broader sense. Others will likely share specific suggestions for reauthorization of the Magnuson-Stevens Act (MSA). My comments today will attempt to give you a sense of what our fleet does; how our fishery fits into the Council process; our perspective on the Alaska management experience; and a heads up on a few things known to be of concern to our members. It is early in the reauthorization process and we will share more detailed comments with you and other congressional committees as the issues emerge and narrow.

ATA represents hook and line salmon fishermen who operate in both state and federal waters off Southeast Alaska. Typical crew size is a skipper and one deckhand, although there are also many family operations. Our target species are chinook and coho and the product is premium quality. Each fish is caught one at a time then cleaned and iced or flash-frozen while still onboard the vessel. Most troll caught fish are bound for white table cloth restaurants and smokeries around the world. There are about 15,000 rivers statewide – with over 2500 salmon producing streams in this region alone. Freshwater and marine habitat in Alaska is largely intact and most all varieties of fish are healthy throughout the state. Alaska salmon have been highly abundant for the last two decades and have been granted use of the Marine Stewardship Council's sustainable label.

Alaska is extremely fish dependent and most coastal communities host a diverse fishing fleet. When you consider commercial fishing fleets, the guided sportfishing industry, resident anglers, and subsistence users, the pursuit of wild fish is clearly one of the most important contributors to our local economy and social well-being. Taxes and fees collected by the state from the seafood sector far exceed every industry but oil, which makes seafood production important to all Alaskans.

Here in Southeast, roughly one of every 40 people living in our region works on a troll boat. Fishing and support jobs span everything from skippers, deckhands and processing workers - to fishery scientists and agency staff, gear and supply outlets, grocery stores and service providers. The Southeast troll fleet is one of the largest in the state and 85% resident, with over 40% of the permit holders living in rural communities. Incidentally, though small by Lower 48 standards, Ketchikan is not considered rural – it is the 4<sup>th</sup> largest city in Alaska. Southeast Alaska includes 33 communities and only 3 are accessible by road. Ketchikan is not one of them.

The troll fleet is unique in a number of ways. With limited exceptions, we are the only salmon fleet in Alaska that fishes in the EEZ. Subsequently, a fishery management plan (FMP) was drafted by the North Pacific Fishery Management Council (Council). Fortunately, the Council recognized the strength of Alaska's successful management program and in 1991 delegated its management authority to the state with a set of terms.

Previously, the Alaska Board of Fisheries (Board) and Council met on an annual basis to discuss management of the troll fishery. Now the Council only steps in when a federal management body is needed to review specific issues, which brings me to another unique feature of our fleet. Trollers are the only Alaska salmon fishermen actively managed under the Endangered Species Act (ESA), even though none of Alaska's salmon stocks are listed under the ESA. Trollers bear this unfortunate distinction because we harvest a small number of fall-run salmon from the Snake River. Beyond current conservation measures, there is nothing our fleet can do to rebuild this stock, a fact recognized by both the Council and the Pacific Salmon Commission (PSC), the body that implements the US/Canada Salmon Treaty. In 1998, an eight year Treaty deal was signed and the state was able to get an ESA Section 7 permit to fish for the life of that agreement. Previously, the state applied for a permit to fish under the ESA, NOAA reviewed and ruled on our management plan, and the Council put the matter in front of the public. There was often considerable acrimony between NOAA, the state, and fishermen during this process, but the long term Treaty agreement and associated ESA permit put an end to that.

It has been quite some time since the Council has had any real level of involvement in the troll fishery. Still, ATA remains interested in the Council and any legislation that governs its activities or our operations. Many in the fleet are diversified into other Council fisheries, and we remain concerned about habitat and other initiatives vetted in that arena. As with any regulatory process, there is often a wide range of opinions and positions. ATA does not always agree with the Council's decisions, but we greatly value its existence.

We recognize the Council as fulfilling a very important purpose with respect to transparent management of a public resource. Alaska's Council has an outstanding reputation as a national leader in federal fisheries management, and is typically on the forefront of designing systems intended to protect and sustain marine resources.

I was asked to discuss with this committee our fishery and its relationship to management – what is our experience and why is Alaska different? To answer these questions, we must look beyond the Council process and discuss what's right and working with our state waters fishery.

*So, how is fishery management in Alaska different?*

**The state and its people are affected and engaged.**

- Fishing is the top employer and brings wealth to the state and its citizens.
- Every community in Alaska relies on commercial fishing.

**In this state, fish come first.**

- It took a couple of failed ballot attempts before Alaska joined the union. But fish traps were killing off salmon and conservation pushed people to the polls.
- Alaska's constitution has always mandated sustainable fisheries.

- Alaska cares for habitat and has carefully managed its fisheries in a cautious manner – long before anyone coined the term ‘precautionary approach’.

**The process is public and dynamic.**

- The Alaska Board of Fisheries conducts lengthy meetings in each region no less than once every three years. Special meetings are held as needed for unanticipated needs, but it is extremely difficult to get such a meeting for anything except conservation.
- Anyone can submit a proposal for consideration by the Board and be actively involved during the meetings.
- The Board is a lay body that considers over 1000 proposals each year.
- The Board is supported by local Advisory Committees who actively seek out the opinions and concerns of their communities, which are then passed on to the Board.
- Management plans are reviewed and modified often, to accommodate changed circumstances. These plans are altered inseason by ADFG, if additional conservation becomes necessary.

**Conservation and allocation decisions are separated to the greatest extent possible.**

- Alaska Board of Fisheries is responsible for conservative regulation and allocation.
- Alaska fishery managers implement management plans that sometimes include allocation, but their primary responsibility is to ensure conservation.

**Lines of authority are granted and clearly drawn.**

- Governors and legislators do not make fishery management decisions.
- The Commissioner of Fish and Game does not manage fisheries, and instead relies on professional, frontline fishery managers to make nearly all decisions.

Management decisions are made daily and are science-based – using current and historical data, as well as in-season observations.

Conservation underpins all decisions and Alaska fishery managers are empowered to over-ride management plans and close fisheries by emergency order when necessary. *To my knowledge, this responsive, fish friendly management process is probably the most significant difference between ADFG and other management agencies around the country.*

**ADFG works closely with fishermen and their associations.**

ATA and its members work closely with ADFG and also with NOAA and other relevant agencies when we can. Examples of that cooperation include:

- Regular meetings between the ATA Board and ADFG commissioners and staff.
- Working together toward common policy goals in Congress, or within state, federal, and international management forums, such as the Pacific Salmon Commission.

- Coordinating to design common sense regulation that benefits the resource, fishermen, and fishery managers.

A specific example would be our spring fishery. While not mandated, ADFG and ATA host joint meetings each spring in many ports, to share information with the fleet and seek input to shape this special fishery that targets hatchery chinook. ADFG holds similar meetings with seine and gillnet fishermen on various aspects of their management plans.

- ATA is in daily contact with managers to share vital fishery information.

In the past, ATA has even hosted 24hr call-in programs to get real-time information from fishermen on the grounds and help ADFG more quickly assess run strength. I personally volunteer with ADFG and help with the aerial boat counts that are used to estimate catch rates on the fishing grounds.

- Fleet logbook program

ATA used to run a logbook program, which was coordinated with the state and NOAA. Data was compiled and given to both state and federal managers. That program no longer exists, but we will be working with NOAA this year to examine food source data collected by trollers, which could be useful to scientists studying stellar sea lions.

- Working to improve habitat for fish and wildlife

ATA is a contractor working with USFWS and Ducks Unlimited to improve fish passage on Prince of Wales Island.

In sum, a simple way to view Alaska's management program is that our regulators, managers, and agencies tend to work FOR the resource, and WITH the users. This situation didn't develop over night. It's taken years of work and time and creativity. And while it's not perfect, over the years our system seems to have matured nicely into one of cooperation between ADFG and fishermen.

Unfortunately, this experience doesn't seem consistent with what I hear from many other US fishermen and scientists. In my opinion, the federal system overall could be well served by following the example set by Alaska when it comes to partnering with industry and securing science based, responsive management.

## **Industry Challenges**

The committee asked about challenges in the foreseeable future. Like any industry, we have a few. For instance:

- Conserving and Maintaining Access to the Resource
- Ensuring the agencies have adequate funds for research, management, and enforcement.
- Integrating and/or fending off 'new' approaches to conservation and management (e.g. what's already working versus which new buzz phrase has true meaning and application?).
- Habitat protection

- Business friendly regulation: Safeguards the resource / Practical and orderly
- Food safety and product quality
- New product form development
- Marketing
- Transportation
- Environmental and Trade Policies

### **Specific MSA Issues of Concern**

Fishery policy and management should be prescriptive and adaptive, recognizing differences between regions, fleets, and circumstances.

Local communities and fishermen must be protected from the affects of reduced fishing opportunity, due to stock fluctuations and new or growing fisheries, as well as reduced competition through consolidation.

Marine Protected Areas: Do not legislate – regulate through the Councils only if necessary and after extensive public process. As a practical matter, Alaska already has provisions for MPAs in the toolbox and uses them by way of fisheries closures, time/area restrictions, etc. If MPAs are considered appropriate, basic policies and structural sideboards should be developed by those who best know the resources and use of the area in question. The Councils must recognize local knowledge and strive to balance uses. Development of Local Area Management Plans (LAMPS) is creating some good process for protecting areas while still providing harvest.

Decentralizing management decisions will minimize political pressure and improve reaction time when managing fisheries, which should lead to a more nimble and responsive program. When Congress and the agencies make decisions from afar, significant lag times occur which can harm the resource and harvesters.

Key terms such as ‘overfishing’ (must consider all sources of mortality - fishing isn’t the only culprit of stock declines or cycles), ‘sport fishing’, and ‘fishing community’ need to be re-evaluated and/or developed.

Research and data collection must be enhanced and duplicity avoided, while protecting confidential data. Cooperative projects with fishermen and their organizations should be encouraged. Agency generated socio-economic research may be helpful, particularly with respect to protecting communities, but should not be done at the risk of disrupting core research, timely data collection for management, and enforcement.

Vessel Monitoring Systems (VMS) and similar requirements should require reasonable justification by NOAA as to the agencies actual need for, and intended use of, any data collected, and also consider the appropriateness of utilizing these systems on various fleets. Small boat operators should not necessarily be held to same requirements as large. Many fishermen live aboard their boats all or part of the year and every boat day isn’t necessarily spent fishing. Confidentiality and privacy matters must be addressed and fishermen engaged help to find appropriate solutions to these issues when VMS is warranted. If these systems are deemed appropriate for some fisheries, the cost to industry for such non-optional government programs should be low, or financial assistance or equipment provided at no cost.

Dedicated Access Privileges programs must be carefully crafted and consider individual fishing history, as well as the need for affordable programs that attract new entrants to the fishery. Implementation of such DAPs should be grounded in common sense and consider community impacts. If IFQ programs are implemented, then all commercial and guided operators harvesting the quota species should be included, so as to not unfairly limit one group while the other continues to increase its harvest share. Control of the public resource, as well as ownership and consolidation of the seafood industry by multi-nationals will be important issues demanding stringent standards to safeguard fishermen and coastal communities.

Offshore aquaculture and its relationship to EEZ fish, habitat and fisheries. Recent legislation would exempt fish farmers from the terms of the MSA. Is this appropriate? While some provisions in the MSA might not be applicable for aquaculture, it does include some important national standards that seem fitting and appropriate for such an activity in federal waters. It would be discouraging to continue improving fishery management in the EEZ through the MSA, only to see conservation and economic successes undermined by new activities that could affect not only the seafood industry, but coastal communities and others who utilize the oceans.

### **In Conclusion...**

Not long ago I had dinner with a lively group of East Coast fishermen at a Portuguese fishermen's hall in New Bedford, Mass. A lobsterman from Maine plopped down beside me and told me everything he knew about Alaska fisheries in one statement ... the Alaska fleet is made up of huge factory trawlers that ply the coastline taking copious amounts of fish and destroying the Pacific Ocean. So, of course I shared with him my impression of east coast fisheries... that their management is so dysfunctional no one really knows how many boats are fishing where or when, for which species, with what gear, and that they are close to catching the last fish in the Atlantic Ocean. As we talked, we discovered how little we actually knew about each other's fisheries and regional concerns. I certainly felt my horizon's expand as I listened and learned.

If American's are lucky, those charged with reauthorization of Magnuson-Stevens and other important fisheries law, will take the time, as you are today, to gain a broader understanding of US fisheries and dependent communities. We should all draw on the success and failure of others as we work to further refine and improve our nation's fish and habitat policies. Working together, we can ensure the sustainability of the oceans for our children and the nation.

Thank you.